

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

*In Re* Petition of Marginalised Affected  
Property Owners,  
*Applicant,*

For an Order Granting Leave to Issue  
Subpoenas To BSG Resources Limited,  
Alvarez & Marsal Holdings, LLC, and Cleary  
Gottlieb Steen and Hamilton, LLP, for  
Taking of Discovery Pursuant to 28 U.S.C. §  
1782

Civil Action No. 1:21-mc-00681

**PROOF OF SERVICE**

I, Marco B. Simons, hereby certify:

1. I am an attorney and General Counsel at EarthRights International (“EarthRights”), counsel for Petitioners, the Marginalised Affected Property Owners, and admitted *pro hac vice* in this matter.
2. I am submitting this Proof of Service pursuant to the Court’s Order, ECF 30, that “Petitioner is directed to serve Respondents BSG and Alvarez & Marsal forthwith and file proof of service on the docket.”
3. In the Proof of Service filed on October 19, 2023, ECF 31, I noted that I had sent the materials to BSGR via FedEx International Priority to the following address, listed as BSGR’s registered address according to the Guernsey authorities:

BSG Resources Limited  
c/o Peter Harold Driver  
West Wing, Frances House  
Sir William Place  
St Peter Port  
Guernsey  
GY1 1GX

4. I noted that the package was due to be delivered Tuesday, October 24.

5. According to FedEx's package tracking services, the package was delivered on Tuesday, October 24, at 2:16pm. The tracking number is 785286122934.

6. Additionally, today David Stagman, of Katten Muchin Rosenman LLP, responded to my email which had transmitted ECF 29 and ECF 30. In a telephone conversation today, Mr. Stagman confirmed that he continues to represent the Joint Administrators who are still the appointed officers of BSGR.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 25, 2023

A handwritten signature in black ink, appearing to read "Marco Simons", with a stylized flourish at the end.

Marco Simons  
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*Counsel for Petitioner*